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Energy and Technology Committee
Michigan House of Representatives
9 AM, Tuesday, March 1, 2011

House Bill 4266

Kent County is requesting consideration for an amendment, as follows:

Delete Section 11514(4) in its entirety, and add the following Section 11514a to read as follows:

SECTION 11514A. YARD CLIPPINGS MAY BE DISPOSED OF AT A MUNICIPAL SOLID WASTE INCINERATOR IF BOTH OF THE FOLLOWING APPLY:

(1) THE MUNICIPAL SOLID WASTE INCINERATOR USES THE HEAT PRODUCED BY THE INCINERATION TO GENERATE ELECTRICITY, A DIRECT FUEL USE, OR ANY OTHER USE AS A SUBSTITUTE FOR CONVENTIONAL FUELS.

(2) THE MUNICIPAL SOLID WASTE INCINERATOR HAS CONTRACTS OF TEN (10) YEARS DURATION OR LONGER WITH AT LEAST FIVE (6) MUNICIPALITIES FOR THE DISPOSAL OF WASTE DEFINED IN SECTION 11504(8)(a) OF THIS PART.

Kent County Solid Waste Management System

Kent County owns and operates a permitted solid waste landfill. This landfill facility also has a gas-to-electricity facility designed, constructed, and operated by Granger Electric. The County owns a waste-to-energy facility that has operated for 20-years incinerating solid waste and producing renewable electricity for sale to Consumers Energy. The County owns and operates two permitted solid waste transfer stations, four household hazardous waste facilities, three electronic drop off sites and a new single stream material recycling facility.

The Kent County Waste-to-Energy Facility (WTE) operates 24 hours a day 7 days a week. This facility has processed over 3 millions tons of solid waste. Energy produced is renewable; 1-ton of waste is equal to burning 1.7 barrels of oil. Over 3 million barrels of oil have been displaced by this facility. Over 1.5 billion kWh of electricity has been placed in the electric grid from this facility and 90,000 tons of ferrous metal has been recovered. This operation is in compliance with and exceeds all air emission permit standards. In addition, the Kent County WTE is specifically identified in the Renewable Portfolio Standards Public Act 295 of 2008 legislation.

Following the same rationale as landfills as an energy production facility we are asking to be authorized to receive yard clippings.

Background:

The Kent County Waste-to-Energy Facility (WTE) receives solid waste from the six cities of Kentwood, Walker Grand Rapids, East Grand Rapids, Grandville and Wyoming. The County has long term contracts with these municipalities to provide solid waste management disposal services. Each municipality has an ordinance describing the facility and delivery requirements for waste companies operating in the municipality. One of the delivery requirements is that yard clippings (yard waste) cannot be delivered to the WTE in accordance with State law. HB 4266 allows a "Landfill Energy Production Facility" to accept yard clipping. This provision would conflict with the municipal ordinances and the contracts the County has with waste hauling companies.

Problem:

Under HB 4266 a scenario exists whereby waste companies operating in the six cities served by this facility will make a decision to combine solid waste and yard clippings. The bill allows waste companies to collect more than a "de minimus amount of yard clippings". Once solid waste and yard clippings are combined and knowing that the WTE cannot accept yard clippings the waste company will deliver the collected combined (solid waste and yard clippings) load to a "Landfill Energy Production Facility" as allowed by the bill.

Solution:

Allow Waste-to-Energy facilities to accept yard clippings. Prior to the ban the Kent County Waste-to-Energy Facility combusted yard waste for several years as authorized by the U.S. Environmental Protection Agency and the State air renewable operating permit. Authorizing a WTE facility to again accept yard waste to produce energy for electricity follows the same logic as the proponents of this bill. A WTE facility converts all biomass to energy. WTE facilities have sophisticated up-to-date air emission control systems including a "selective non-catalytic reduction" system (nitrogen oxide control system).